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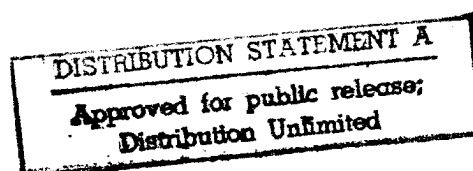
7 February 1983

Worldwide Report

LAW OF THE SEA

No. 219

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CONTENTS

WORLDWIDE AFFAIRS

Overview of Current Status of USSR, Norway Arctic Dispute (Kjell Dragnes; AFTENPOSTEN, 12 Jan 83)	1
--	---

ASIA

JAPAN

Japan's Policy on Manganese Nodule Development Discussed (Wataru Fukazawa; TSUSAN JANARU, Sep 82)	7
--	---

WEST EUROPE

INTERNATIONAL AFFAIRS

Greenland Government Now Demands Danes Use Force Against FRG (AFTENPOSTEN, 10 Jan 83)	17
Norway, Greenland Boundary Dispute Entering Worsening Phase (Terje Svabo; AFTENPOSTEN, 12 Jan 83)	18
Danes Boycotting Norwegian Herring Landings in Dispute (AFTENPOSTEN, 4 Jan 83)	20

FEDERAL REPUBLIC OF GERMANY

SPD Scores Government for Nonparticipation in LOS (Horst Schreitter-Schwarzenfeld; FRANKFURTER RUNDSCHAU, 16 Dec 82)	22
--	----

FRANCE

Burget, Reorganization of Ocean Exploitation Groups (LES ECHOS, 29 Dec 82)	24
---	----

OVERVIEW OF CURRENT STATUS OF USSR, NORWAY ARCTIC DISPUTE

Oslo AFTENPOSTEN in Norwegian 12 Jan 83 p 37

[Article by Kjell Dragnes]

[Text] In the cold gray Barents Sea, whipped by January storms, capelin seiners, cod trawlers, factory ships and sharks are steaming ahead in the search for the ocean's resources, which are unfortunately diminishing. In the warm offices of Oslo and Moscow, the climate is almost as harsh when the subject of the Barents Sea is brought up. Talks on the dividing line, the demarcation of the continental shelf on the ocean floor and the economic zones of the ocean have encountered even choppier seas than those met by Norwegian and Soviet vessels "on the spot."

The disagreement is just as great as it was when the first contacts were made on defining boundaries 12 years ago. The only small consolation is that both sides agree in principle that the problem should be solved by means of negotiations. They seem to be dragging out.

Both countries seem to have plenty of time, at least neither one will admit to the other that there is any urgency in arriving at an agreement. But development is lurking behind the scenes. Norwegian oil drilling is being carried out in the geologic strata of Tromsoflaket. And on 17 May last year, the first of three Soviet drilling ships began working in the Soviet part of the Barents Sea. The date was probably accidental and not a signal as to whom the Russians believe to have disposal rights over the mineral resources in the north. Even so--155,000 square kilometers still separate the two views of what belongs to whom. And to date the negotiations have not led Norway and the Soviet Union a single centimeter closer to each other.

The big collision really came about in 1977, when Norway established an economic zone of 200 nautical miles, after which the Soviet Union did the same. Both countries followed what had already become established practice

in international law. But there are different principles for drawing boundaries. The Soviet Union is asserting the so-called sector principle, which places the line quite a bit further west than the principle advocated by Norway--a division according to the center line.

The last time the two sides sounded each other out was in Oslo in December 1981, in other words more than a year ago. According to custom, the guest should invite the host next time around. Therefore, Moscow will be the next setting for talks, but so far no clear move has come from the Soviet Union with regard to this nor has there been any hint as to when the negotiations might get going again. But there is an understanding that too much time should not elapse between each negotiating contact. It is now up to the Russians to decide what this involves, but the Russians are hardly in the habit of hurrying when it comes to difficult discussions with other countries.

But a new and quite important element has been added since the two lands talked to or around each other at the negotiating table. The UN Law of the Sea Convention was signed in Jamaica on 10 December, almost exactly a year since the conclusion of the last fruitless round of talks in Oslo. Both the Soviet Union and Norway were among the 119 countries signing the treaty. Thus both approved the contents, even though it could be a long time before the convention goes into effect formally, since each individual country must ratify it first.

The Law of the Sea Convention also contains principles as to how dividing lines are to be drawn where the economic zones for different countries overlap each other, as they do in the Barents Sea. The Law of the Sea Convention is to replace the Geneva Convention of 1958, which was the basis for the boundaries drawn up previously, such as the division of the continental shelf in the North Sea. It is worth noting that the center-line principle is still the main rule. Therefore Norway is still quite justified in maintaining that the center line ought to be the boundary.

In addition, negotiations are proceeding between Norway and the Soviet Union on the basis of the old convention, so that formally no change has occurred. But the text of the Law of the Sea will still have some influence on the talks.

The Soviet arguments are based more on so-called "special conditions" as a reason why the boundary should not follow the center line. Among other things they point to a proclamation from 1926 in which the sector line is given as the "western boundary for the polar possessions of the Soviet Union." But there has been no proclamation of this line as the continental shelf boundary on the part of the Soviet Union. That would be quite inconceivable as long as talks are going on and would represent an unusual provocation, if it occurred.

The convention makes it clear that boundary disputes should be settled by means of talks between the countries involved. Negotiations usually

involve compromises and that means, in plain language, that both sides have to give a little--but it does not seem that Moscow is prepared to do that at the present time.

The Norwegian willingness to make compromises is not a result of developments in the field of international law, it is a political assessment, according to those who have followed law of the sea developments closely for many years.

The political assessment referred to is that it is not good to allow such important problems as boundary-line disputes to remain unsolved for very long. One unsolved issue has a tendency to create others. But at the same time it is stressed that Norway is not under any pressure to hurry things up, which could be used by the other side to gain greater concessions.

At first glance it may seem strange that it has not been possible to get any movement in negotiations which, albeit with long intermissions, have been going on for 12 years. But as former Foreign Minister Knut Frydenlund said in his book, "Little Land--What Now?":

"The way in which the dividing-line problem is solved will also affect future relations between the two countries. That is probably one of the reasons why it is taking so long to arrive at a solution."

Military strategic developments have made the Barents Sea important and that is something over which Norway has no control. Military assessments have acted as an obvious check on the negotiations, and they have also been used as a Soviet argument. But this has been rejected by Norway as irrelevant in talks based on the Continental Shelf Convention of 1958 and now on the new Law of the Sea Convention.

But it is clear that a small country must include in its assessment the fact that the security interests of a superpower, even though these are partially directed against Norway, are involved.

The most urgent problem, the regulation of the mutual fish population in the Barents Sea, was temporarily solved in the gray-zone agreement that was negotiated in 1977 and signed 5 years ago.

This agreement circumvents the dividing-line problem by covering both Norwegian and Soviet areas that are not disputed. But one of the reservations is that 23,000 square kilometers of the gray zone lie in Norwegian territory, regardless of the principle of division. Only a small piece, 3,000 square kilometers, is in Soviet territory. The entire gray zone measures 67,000 square kilometers.

The gray-zone agreement is valid for a year at a time and is regularly extended without much ceremony by means of an exchange of notes in Oslo and Moscow each summer. The danger is that this undramatic extension could become a permanent arrangement, despite the fact that this has never

been the intention. And the more time that goes by, the greater the possibility that the agreement will become a habit, even though it was clearly established that it would not form a precedent for a future agreement.

Svalbard is a separate problem, due to the special status of the island group as a result of the Svalbard Treaty of 1920. Through the years there have been several Soviet attempts to obtain a joint control over the islands and now the problems have been extended to include the surrounding ocean waters. For reasons of principle, the Soviet Union has opposed the establishment of a fishing conservation zone that was set up in June 1977 and the discussion of the Svalbard shelf and the rules that should apply to it have also bogged down there.

In brief, the question is whether Svalbard has its own shelf or whether the ocean floor in the vicinity can be regarded as an extension of the Norwegian shelf and whether the treaty also applies to the ocean and not just the islands.

Oil is the joker in the deck in the negotiations between Norway and the Soviet Union on polar regions. The estimated wealth of resources beneath the ocean floor can lead to new conditions. Both countries have pursued an intensive geological mapping program of the floor, not without incident. But both sides have assumed that any future activity will not occur in disputed areas.

There are certain indications that the Soviet Union will now be more interested than it was before in having a permanent boundary drawn up. After a sluggish start, in the usual Soviet style, an offshore program has now been worked out.

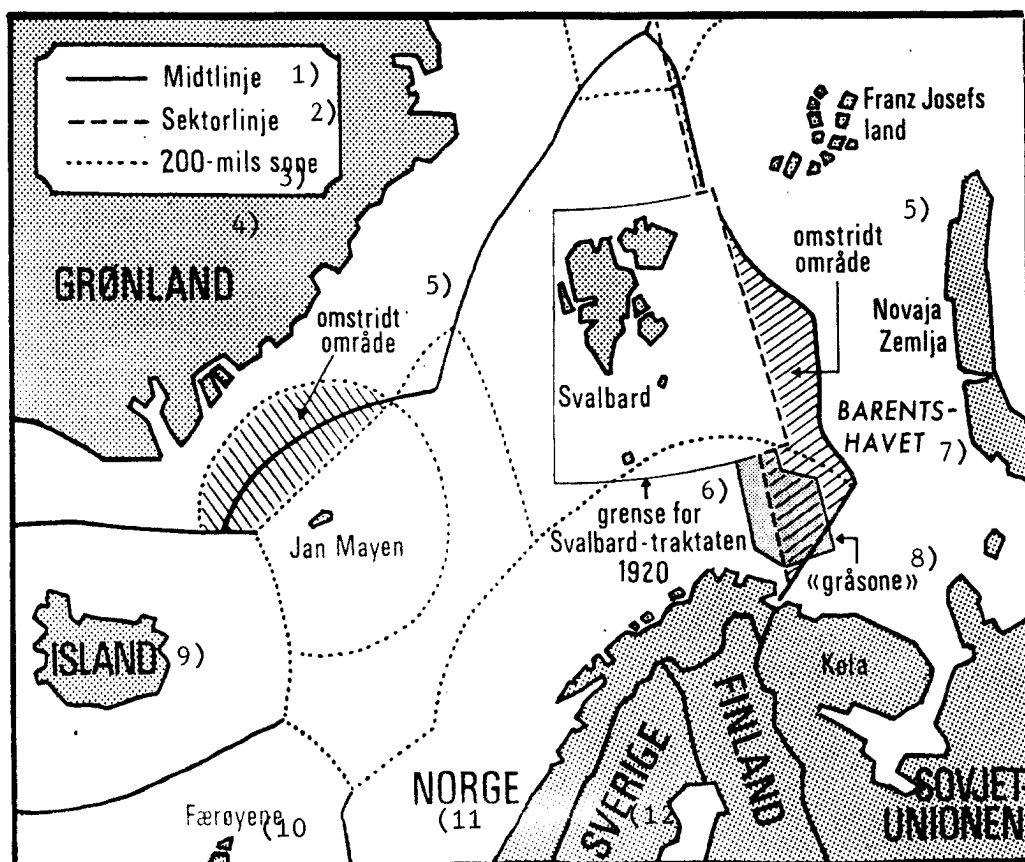
Three drilling ships have been purchased from Finland, two retractable platforms have also been ordered from Finnish shipyards and the Russians themselves have prepared to construct ice-reinforced platforms at a shipyard in Viborg.

The Soviet Union has put out feelers to other countries, including Norway, on cooperation in the Barents Sea. Before Christmas, a delegation from the Export Council, Norwegian Petroleum Consultants and Norwegian Contractors was in Moscow and presented an outline for a joint project.

During February it will become clear whether the Russians are interested in a closer look and later whether Norwegian firms will get deliveries of equipment. At any rate things have come far enough that Moscow has requested a concrete proposal.

Careful evaluations indicate that it will take at least 5 years before there will be any question of construction on the Soviet shelf in the Barents Sea. And even that does not mean that there is any need to set up a boundary agreement right away, since large areas are involved and there is plenty of room on the Soviet shelf to work with.

But geological mapping has shown that the interesting structures extend into the gray zone and the disputed territory. On a map that western oil people have been allowed to see in Moscow, the strata that might contain oil and gas extend like an open hand from the Kola Peninsula into the ocean with the thumb over the Novaja Zemlja island group.



Key:

- | | |
|----------------------------------|--------------------|
| 1. Center line | 7. Barents Sea |
| 2. Sector line | 8. "Gray zone" |
| 3. 200-mile zone | 9. Iceland |
| 4. Greenland | 10. Faeroe Islands |
| 5. Disputed areas | 11. Norway |
| 6. 1920 Svalbard Treaty boundary | 12. Sweden |

A Soviet proposal from the last boundary meeting also shows that it is oil and gas that are the most important. They proposed restraint in utilizing these resources in an area running an equal distance east and west of the sector line. Norway rejected this because it would include less than a sixth of the disputed area and because indisputably Norwegian zone areas would come under the limitation. The proposal was also viewed as an attempt to have the sector line form the starting point for negotiations.

Despite all the talk about an oil surplus, these resources are of vital importance for the Soviet Union, as well as for us. Therefore it is not inconceivable that purely economic arguments may begin to have more impact in Moscow than has been the case in the past. Ultimately, the economy and energy supply considerations will have as much importance from a security point of view in the Soviet Union as pure military striking force.

But the progress in the negotiations is not yet great enough to overcome contrary winds and heavy seas. Fishermen and fish, submarines and other military vessels are left to their own devices in the Barents Sea--in fair weather and foul.

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JAPAN'S POLICY ON MANGANESE NODULE DEVELOPMENT DISCUSSED

Tokyo TSUSAN JANARU in Japanese Sep 82 pp 48-53

[Article by Wataru Fukazawa, Agency for National Resources and Energy]

[Text] Introduction

"Manganese nodules," a future resource sleeping in deep seabeds, are heading for a new age of development: on 30 April 1982, the UN Third Conference on the Law of the Sea, which had been deliberating as long as 10 years on the negotiating text of a treaty and four resolutions in order to formulate a comprehensive order relating to the seas, including a system for manganese nodule development, adopted the documents by an overwhelming majority to conclude the actual negotiations.

In this paper, focusing on the manganese nodule development problems which have always claimed the central attention throughout the conference, I will discuss the following: (1) policies administered by the Ministry of International Trade and Industry, (2) international circumstances such as the Conference of the Law of the Sea, and (3) Japanese countermeasures in consideration of the situation.

MITI's Policies Relating to Manganese Nodule Development

Manganese nodules, sleeping in deep seabeds 4,000-6,000 meters below the surface and containing useful metals such as nickel, cobalt, copper and manganese, wait quietly to be developed by mankind. Our country, which depends on imports from overseas for virtually all these metals, has great hopes for deep seabed development, a treasure house of quasidomestic resources. MITI is currently administering a positive policy consisting mainly of a manganese deposit survey and R&D of mining technologies for the development of manganese nodules.

It was 7 years ago that MITI started a full-scale manganese nodule deposit survey. The "Hakurei-Mar" owned by the Metal Mining Corporation sailed off to an ocean area generally known as the "Manganese Ginza," south of Hawaii, in search of sites with dense, high-quality manganese nodule deposits. Five years of surveying by the Hakurei-Mar since that time contributed to the discovery of a promising site. However, in FY-80 MITI decided to introduce "Hakurei-Mar No 2," a special ship for detection of manganese nodules, to facilitate more efficient

and accurate surveying. With introduction of this ship, which claims to have a detection efficiency five-six times greater than the Hakurei-Marui, loaded with the world's latest detector specifically for use on a ship, the detection results of our country have shown a dramatic improvement, which enables us to say that Japan has taken a large step forward toward the development of manganese nodule mining. (Figure 1 shows the concept of the survey by the Hakurei-Marui No 2.) The deposit survey operation is carried out by contract with the Metal Mining Corporation (which then subcontracted it to the Deep Ocean Mineral Association (DOMA)). In parallel with this, MITI is also eagerly promoting the development of the survey devices necessary for deposit surveys (for example, a deep sea high-speed television system, a high-speed extensive area detection system) by contracting out the work to the Metal Mining Corporation.

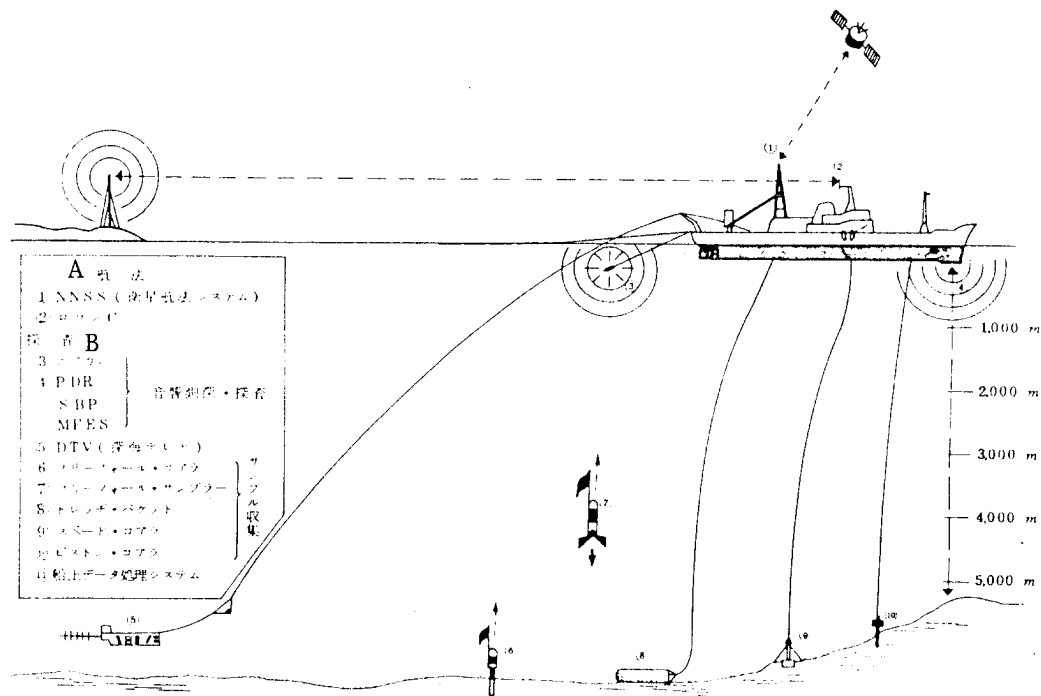


Figure 1. Concept of Manganese Nodule Exploration by the Hakurei-Marui No 2.
Key:

- | | | | |
|--|---|---|---------------------|
| A. Method of Navigation | | (5) DTV (deep sea television) | |
| (1) NNSS (Satellite navigation system) | | (6) Free fall corer | } Sample collection |
| (2) Loran C | | (7) Free fall sampler | |
| (3) Air gun | | (8) Dredge bucket | |
| (4) PDR | } sound depth detection and exploration | (9) Space corer | |
| SRP | | (10) Piston corer | |
| MFES | | (11) Ship boarding data processing system | |

In the task of developing manganese nodules, mining technology is a key point which is just as important as the deposit survey. As previously described, it is not easy to hoist a large quantity of manganese to the surface at economical cost, since the manganese nodules are deposited in deep seabeds 4,000-6,000 meters below the surface. However, unless this mining technology is established, the manganese nodules will continue to sleep forever in the deep seabed without reaching our hands, and the expenses and labor for deposit surveys will go for nothing. With this in mind, MITI adopted plans to establish a mining technology and to develop basic technologies for sampling systems and hoisting systems, for a total investment of 20 billion yen, as a 9-year project starting in FY-81 under the large project system of the Agency of Industrial Science and Technology. In addition, based upon the results of development, an experimental system is to be designed in detail and manufactured to conduct a complete sea test in an actual sea area (see Figure 2). This research and development is being carried out as a contract project by the "Manganese Nodule Mining System Research Institute," after it was established in January 1982 by a technical research union comprised of the Metal Mining Corporation and 17 companies in the nonferrous metal, shipbuilding and heavy machinery and shipping industries.

International Circumstances Including Law of the Sea Conference

The deep seabeds terrain is beyond the sovereignty or jurisdiction of any nation. Manganese nodule development, because of its universal nature, has always been attended by international problems.

Advanced nations, such as America, Britain and Germany, which have international consortiums, and France, which has a government project, are showing strong interest in manganese nodule development just as Japan is, with a view to a stable supply of resources. On the other hand, developing nations, centering around the countries which carry out land production of mineral resources are also interested in manganese nodule development in the negative sense, as they are concerned about its adverse affect upon the land resources. Arguments relating to the manganese nodule development system put forward at the UN Third Marine Law Conference on the Law of the Sea depicted this confrontation between the advanced nations and the developing nations, the so-called South-North issue. The confrontation between the Western advanced nations, which maintain that development should be pursued freely by private enterprise, and the developing nations, which insist that development should be pursued unilaterally by an international institution, continued vehemently to the final stage of the conference.

Originally, the negotiating text was scheduled to be adopted under the essential mutual agreement by beginning of last year. The mutual agreement resulting from a compromise between the above-mentioned confronting advanced nations and the developing nations was termed a "parallel system," it prescribed that both an international institution and private enterprise (under the control of the international organization, called the "Authority") may carry out development activities (see Figure 3). However, the parallel system, which was constructed upon an intricate conflict of interests, lost its balance when U.S. administrative power was transferred to the hands of President Reagan.

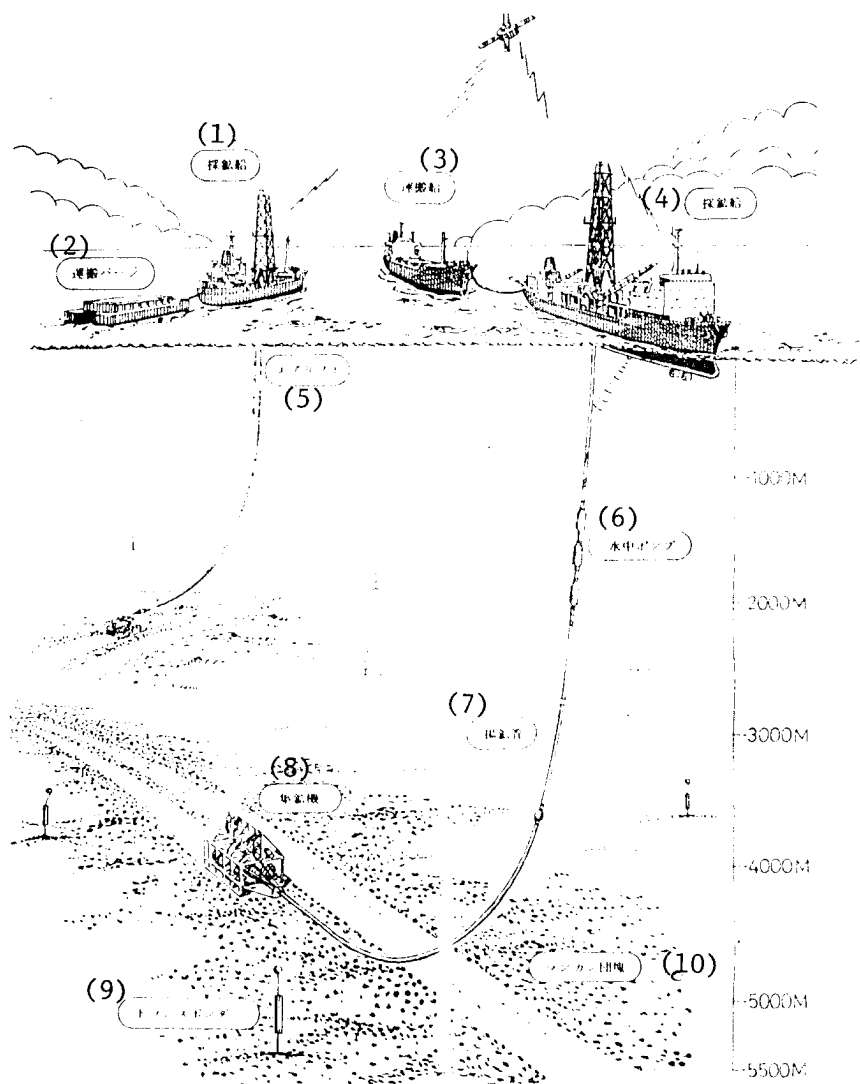


Figure 2. Concept of Manganese Nodule Mining System

Key:

- | | |
|------------------------|---------------------------|
| (1) Mining ship | (6) Underwater pump |
| (2) Transporting barge | (7) Mineral hoisting pipe |
| (3) Transporter | (8) Mineral collector |
| (4) Mining ship | (9) Transponder |
| (5) Air lift | (10) Manganese nodule |

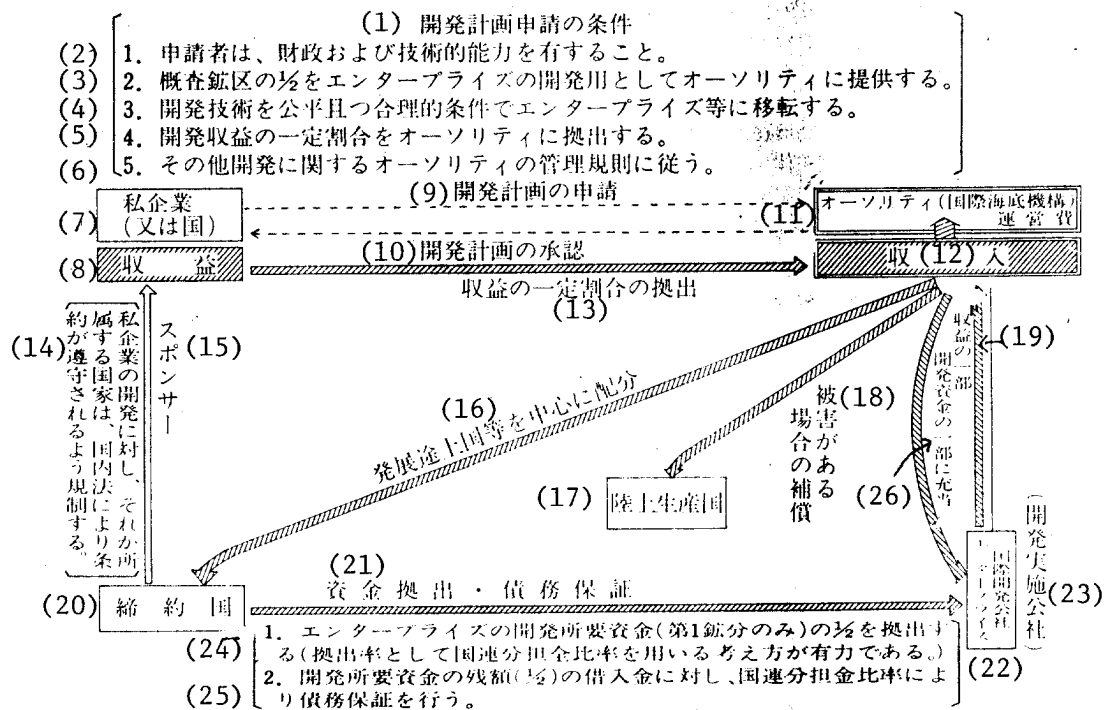


Figure 3. Deep Seabed (Manganese Nodule) Development Scheme

Key:

- (1) Conditions for development project, application
- (2) Applicant shall have financial and technical abilities
- (3) Half of rough exploration zone shall be offered to the Authority for Development by the Enterprise
- (4) Development technology shall be transferred to the Enterprise under fair and reasonable conditions
- (5) A set percentage of the developmental profit will be offered to the Authority
- (6) The Authority's other administrative rules relating to development shall be observed
- (7) Application of development project
- (8) Private business (or national government)
- (9) Profit
- (10) Approval of development project
- (11) Authority (international seabed organization) operating expenses
- (12) Revenue
- (13) Outlay of a prescribed percentage of income
- (14) Nations to which private businesses belong shall regulate the development of the private businesses by domestic law so that the treaty will be respected
- (15) Sponsor
- (16) Distribution mainly to developing nations
- (17) Nations carrying out land production

[key continued]

[Continuation of key to Figure 3]

- (18) Compensation in case of damage inflicted
- (19) Part of the income
- (20) Treaty powers
- (21) Fund outlay, guarantee of obligation
- (22) Enterprise (International Development Corporation)
- (23) Public Corporation for implementation of development
- (24) Half of the developmental funds needed by the Enterprise will be out-layed by those countries which signed the treaty (only for No 1 mine)
(The opinion is strong that those countries contribute according to the rate they contribute to the United Nations)
- (25) The remaining (1/2) funds needed by the Enterprise will be borrowed, and obligation will be guaranteed by those countries at the rate of their contribution to the United Nations
- (26) Part of the profit will be recycled to the Enterprise (the International Development Corp.) as part of the developmental funds.

Specifically, as a result of a 1-year review of the negotiating text concentrating on the manganese nodule development system, at the Law of the Sea Conference held last spring, America proposed amendments to the negotiating text involving as many as 230 items based on the following points: (1) development should be freely carried out by private enterprise, and (2) the organization should properly reflect American opinions and interests. In response to this, the developing nations reacted defiantly, alleging that the demand by America showed lack of respect for the 10-year long deliberations. The conference continued till the last day without any concessions at all being made by either side. In consequence, it was necessary to give up the idea of adopting the negotiating text containing the previously described parallel system by consensus, and it was then decided that the matter of adoption would be concluded by the vote of each nation. (Voting result: approval, 130 votes: Japan, France, Australia, New Zealand, Sweden and other northern European nations, and the majority of developing nations; disapproval, 4 votes: America, Israel, Turkey and Venezuela; abstention, 17 votes: England, West Germany, Holland, Belgium, Italy, Spain, Luxembourg, Thailand, and nine East European nations including the Soviet Union.)

Incidentally, for the deep seabed development system, a more significant system was stipulated outside the negotiating text at the Law of the Sea Conference as a current problem to be confronted--an "Advance Investment Protection Resolution."

At present, aside from the Japanese project, business entities such as international consortiums and the French Government project are carrying on activities primarily of an exploratory nature. The objective of the resolution was to find a way to relate these business entities to the Law of the Sea Treaty (how these business entities could establish exclusive mining zones and conduct exploratory activities and how these activities could be linked to the Law of the Sea Treaty until the treaty came into effect). At the conference on the Law of the Sea held last spring, the maximum amount of time and labor

was spent on debate concerning this advance investment protection resolution. This was because (for one thing, the negotiation of the Law of the Sea Treaty itself was, as described above, deadlocked due to the confrontation) a simple picture could not be drawn due to the pressing, concrete and realistic nature of the problem, and the vectors of rights and interests of different nations, pointing in all directions, were delicately intertwined.

To be precise, the nations which support international consortiums advocate a system quite separate from the Law of the Sea Treaty and exclusively beneficial to the international consortiums as much as possible, while the developing nations insist on a system that is equivalent to the Law of the Sea Treaty as much as possible. Furthermore, Japan insists that the Japanese project should be treated as equal to an international consortium while respecting the Law of the Sea Treaty, whereas the Soviet Union and the East European nations maintain a position that will secure and maximize the profits of the East bloc from the standpoint of East-West relations. These views are in complex confrontation on issues such as the qualification of advance investors, the number and size of mining zones to be secured by advance investors, standards for adjusting overlapping mining zones claimed by more than one advance investor, and the priority of development under the Marine Law Treaty. In order to sort out these intricately entangled claims, negotiations continued every night until midnight and Chairman Ko [phonetic] put forth uninterrupted efforts for mediation at the Conference on the Law of the Sea. Table 1 shows the system related to the Advance Investment Protection established as a result of these efforts. From our point of view, this system can be evaluated highly (of course, there are some problems) since the Japanese project was internationally ranked equal to the international consortiums (incidentally, the resolution was adopted together with the negotiating text on 30 April, and will be formally adopted later at a treaty adoption conference scheduled to be held this coming December).

With these results, the Conference on the Law of the Sea closed the curtain on actual deliberations, but this does not mean that the international situation surrounding manganese nodules has become stable. Not at all. The conclusion of the Conference on the Law of the Sea rather reactivated further international uncertainty. Specifically, with actual agreement on the advance investment protection resolution, it appears that advance investors are prepared to deal in earnest with the adjustment of overlapping mining zones among themselves. Therefore, it is inevitable that in these circumstances each nation or each nation's business entities will conduct various negotiations to secure its own exclusive mining zones.

Japanese Countermeasures

As previously described, international circumstances are ripe for earnest mining zone adjustments among the advance investors on the assumption of commercial mining, now that all the conditions are in order through the adoption of the advance investment protection resolution. Therefore, Japan must analyze the situation and deal with it appropriately for the manganese nodule development to be fruitful. It is of course necessary to promote further the deposit surveys and the research and development of technologies for strengthening

Table 1. Resolution Relating to Advance Investment Protection

Advance Investor Qualification	<p>(1) The following business enterprises which will have invested over \$30 million for developmental activities by 1 January 1983, and have made up to now outlays of over 10 percent (\$3 million) of the investment to the applied mining zone.</p> <ul style="list-style-type: none"> a. Projects for national business corporations of Japan, France, the Soviet Union and India b. Four international consortiums: Inco, Kennecott, U.S. Steel, Lockheed <p>(2) In the case of the developing nations, the main business operators which will have made investment outlays as described in (1) above by 1 January 1985.</p> <p>(3) In any of the above described cases, the rights of advance investors are transferrable to the successors.</p>
Number and Extent of Mining Zones	<p>(1) The extent of the exploration--a zone shall be under 15 km². Only two mining zones of equivalent value shall be applied, including the mining zone withheld for use by the Enterprise.</p> <p>(2) Half of the mining zone allotted to advance investors must be eventually given up.</p>
Solution to Overlapping Zones	<p>(1) Guarantee nations shall insure that their applied mining zones will not overlap with the mining zones of others.</p> <p>(2) If adjustment is not made by voluntary solution and government-to-government agreement by 1 March 1983, the cases shall be submitted to arbitration.</p> <p>(3) Arbitration procedure shall start at the latest by 1 May 1983 and shall be concluded by 1 December 1984 (however, it is extendable).</p> <p>(4) Dispute dissolving standards for mining zone overlapping are as follows:</p> <ul style="list-style-type: none"> a. Applied mining zone coordinates shall be deposited with guarantee nations on the day of the final protocol adoption of 1 January 1983, whichever is earlier. b. The length of time and the size of investment relating to the applied mining zones in the past. c. Date of commencement of activities in the applied mining zones, etc.
Duties	<p>(1) For advance investors, operation project application fees after the treaty comes into effect shall be discounted by \$250,000 from \$500,000 to \$250,000.</p> <p>(2) Advance investors in applied mining zones shall concur in disbursement of a fixed sum at a fixed time specified by the preparation committee.</p> <p>(3) Advance investors shall carry out on behalf of the Enterprise mining zones (onerous), staff training and technology transfer preparation.</p>
Other	<p>(1) The Authority shall approve applications of work plans by the advance investors.</p> <p>(2) Advance investors with an approved work plan have the first claim in conformity with the production limit.</p>

Japan's real power to meet the needs, and in addition the following counter-measures are deemed necessary.

As a prerequisite for advance investors to carry out mining zone adjustments, it is necessary for each business entity to have its own mining zone to be claimed. On this point, each of the advanced nations--America, Britain, Germany and France--has organized its domestic laws so that each business entity can currently submit a mining zone application to the authority concerned (furthermore, on 17 April, the Soviet Union also promulgated an order of the Presidium of the USSR Supreme Soviet). To counter the international state of affairs centering around advanced nations with mobility and propriety, Japan also needs to establish a domestic law. From this point of view, recently a law on provisional deep seabed mining measures was enacted (taking effect on 20 July). The law is defined as a provisional law until the Law of the Sea Treaty takes effect in Japan. The general rules of the law provide the following: manganese nodule detecting and mining activities can be conducted only by those entities approved by MITI in compliance with a prescribed standard; those which conduct detecting and mining activities (deep seabed mining operators) are responsible for prescribed duties such as a duty to start a business, a duty to carry on continuously, and a duty to respect and observe operational proposals; MITI must verify whether or not the zones named by the Japanese applicants overlap with those of the applicants to the Deep Seabed Mining Chart, and if so, necessary action must be taken for adjustment. The stipulation of the law is significant for enhancing the Japanese negotiating position in dealing with advanced nations so that Japan can secure its own mining zones, and can be very highly rated.

In developing manganese nodule mining, it is essential to secure exclusive mining zones. Therefore it can be predicted that advance investors and nations which have them will fight undeservedly to secure their own mining zones. Japan also needs to develop positive diplomacy to secure its own mining zones that will become a supply source for resources.

So that Japan can deal appropriately with the various external and internal circumstances, such as the international trend toward commercial exploration and the mining and the enactment of a domestic law, it is necessary to set up a corporation that will directly conduct manganese nodule exploration by mobilizing public and private wisdom and knowhow. Currently there exists DOMA, organized by the leadership of nonferrous metal companies and related industries, for the development of manganese nodule mining. For setting up an exploration corporation, an investigation is underway which includes the idea of using the services of DOMA (as of July 1982). Likewise, in view of the fact that a manganese nodule detecting and mining operation requires enormous funds, MITI is considering the need to devise measures to subsidize operations; for instance, constructive utilization of the overseas metal mineral mining investment system governed by the Metal Mining Corporation.

Conclusion

The internal and external state of affairs surrounding deep seabed mineral material development has taken a giant leap forward as exemplified by the adoption of the negotiating text of the Law of the Sea Treaty and the Advance Investment Protection Resolution, as well as the stipulation of a law for provisional deep seabed mining measures. Nevertheless, in trying to awaken this resource sleeping on the deep seabed in order to use it efficiently as a stable supply source for Japan, there are still various problems to be surmounted. We are renewing our resolve to put maximum effort into conquering these issues in the future, as in the past, in order to achieve successful manganese nodule development.

8940

CSO: 5200/4201

GREENLAND GOVERNMENT NOW DEMANDS DANES USE FORCE AGAINST FRG

Oslo AFTENPOSTEN in Norwegian 10 Jan 83 p 6

[Article: "Greenland Fisheries Demands"]

[Text] Copenhagen, 9 January. The government of Greenland now demands that the Danish government put teeth into the demand that West German cod fishing near Greenland be stopped. Both the national assembly [Landsstyret] and the government have protested against the EC Commission's provisional approval of this West German fishery, but at a meeting in Copenhagen on Saturday representatives of the national assembly made it clear to Tom Haydem, minister for Greenland, that protests alone do not suffice.

"The government must back up its demands with force by using fishery inspection when required," says National Assembly member Lars Emil Johansen.

According to Johansen, the Danish government is especially reserved just now because of the fisheries conflict with the EC and Great Britain. Denmark is afraid of worsened relations with West Germany. At the meeting on Saturday the government was sharply criticized for lack of action in the matter of Greenland's fisheries problems.

"What we see today is the EC community in a nutshell," Johansen asserts. In his personal opinion, speedy withdrawal from the EC is preferable to waiting for the results of negotiations on an alternative adherence by Greenland to the EC. Greenland's goal has been that of getting out of the EC by 1 January 1984. The withdrawal procedure and negotiations on a new agreement have taken so much time that the withdrawal can take place at the earliest in 1985.

Greenland also insists upon the claim for a 12-mile fisheries limit. In this matter the Danish government is even more reluctant. That demand harmonizes poorly with Denmark's protests to the EC Commission against the British 12-mile limit.

Nor does the Greenland home rule acquiesce in Danish fishermen's demand for enlarged shrimp quotas on the west coast of Greenland. "If other countries were to obtain almost unlimited access to shrimp fishing in our waters, the fishermen of Greenland would lose the basis of their catches. This the government can in no way accept," says Lars Emil Johansen.

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CSO: 5200/2522

INTERNATIONAL AFFAIRS

NORWAY, GREENLAND BOUNDARY DISPUTE ENTERING WORSENING PHASE

Oslo AFTENPOSTEN in Norwegian 12 Jan 83 p 10

[Article by Terje Svabo]

[Text] Greenland is taking a negative position on a center-line solution between Jan Mayen and East Greenland. Greenland government chairman Jonathan Motzfeldt said at a press conference yesterday that Greenland has noted with interest the solution Norway arrived at with Iceland on the Jan Mayen zone. In these negotiations, Norway deviated from the center-line principle. Motzfeldt hopes that Norway will be part of an effort to build up a Greenland fishing fleet directed at capelin fishing.

At the press conference, Motzfeldt and his fisheries minister, Jan Emil Johansen, said that they have the full support of the Danish government in the talks on a fishing zone between Jan Mayen and East Greenland. Denmark has already made it clear in these talks that it cannot accept a center-line solution with Norway between Jan Mayen and East Greenland.

The two representatives of the Greenland government strongly underlined Greenland's dependence on fishing resources which makes it necessary to safeguard these resources as much as possible. It was said that in contrast to Norway, Greenland currently has no other resources besides fish from which to make a living.

Jonathan Motzfeldt expressed hope that Greenland can withdraw from EC by 1 January 1985 at the latest. It is almost a year since the inhabitants of Greenland made this decision via a popular referendum and Motzfeldt hoped the EC bureaucracy would soon take steps to implement Greenland's withdrawal.

"Nothing has happened to date. The EC bureaucracy works very slowly. We are patient, but something must happen soon. We had hoped we could leave EC as early as 1 January 1984," the government chairman said at the press conference.

Motzfeldt revealed that although neither the former nor the present governments in Denmark shared the view of the Greenland inhabitants toward EC membership, they have received full support from the Danish government in the current negotiations with EC.

Neither Johansen nor Motzfeldt would say anything concrete about the fish quota Norway would have in Greenland's zone after it withdraws from EC. But they did indicate that Norwegian interests would not be in a worse situation than they are now.

Greenland hopes that in return for fish quotas, Norway will help to build up a Greenland fishing fleet. Capelin fishing is of special interest, although the two government representatives expressed concern about the declining capelin population. For that reason they wanted closer cooperation on the part of Norway, Iceland, the Faeroes and Greenland with regard to fishing in the North Atlantic.

6578

CSO: 5200/2524

DANES BOYCOTTING NORWEGIAN HERRING LANDINGS IN DISPUTE

Oslo AFTENPOSTEN in Norwegian 4 Jan 83 p 4

[Article: "Danes Boycott Norwegian Herring Catches"]

[Text] At a quay in Hirtshals in northern Jutland herring valued at 1 million kroner was denied unloading from the combined trawler and purse seiner Meridian of Aalesund. Danish fishing boat owners and skippers undertook an illegal blockade of the catch because they feel themselves unjustly treated by Norwegian fisheries authorities. After repeated attempts, including calling police, Skipper Jostein Storksen had to abandon the hope of having his catch unloaded. At 1930 hours, Meridian returned to Norway.

"Instead of about 1 million kroner we shall now receive only 150,000 kroner for the catch in Norway. The boycott in Hirtshals reduced the quality of the catch to such a degree that it can now be sold only for production of herring meal in either Egersund or Flekkefjord," says an irate skipper Jostein Storksen to AFTENPOSTEN as the fishing boat departs from the Danish port city.

Yesterday's blockade is also connected with the fact that no fisheries agreement has been reached between the EC and Norway, which fact excludes EC countries--including Denmark--from the Norwegian fisheries zone. Naturally, Skipper Storksen complains bitterly about Meridian becoming an economic victim of big politics.

"We are 14 men aboard Meridian, and on the average each of us suffers a loss of close to 20,000 kroner as a result of the action in Hirtshals. Meridian was the only boat that sailed out to catch herring between Christmas and New Years, and we would have received a very good price for the extra effort. No wonder the mood is gloomy aboard the Meridian now," says Storksen, who is unloading the fish today in a Norwegian port. Fishing boat owner Odd-Bjorn Huse, Aalesund, depended upon the Danish police for help to get the first class herring unloaded. High quality herring is in great demand at this time. But because the mood among fishing men and employees of fish processing plants has steadily become more anti-Norwegian, the boycott could not be stopped. All negotiations through the afternoon came to naught. When the police appeared to protect the unloading the Danish dock workers refused to work, immediately making it clear that they would not unload the

fish under such conditions, referring to a previous dockworkers' strike in which one man was killed. No further attempts to defy the boycott were made, and efforts to get the 250 tons of fish landed were abandoned.

It is the opinion of those who backed the boycott that Norwegian authorities have been too strict and that, among other things, Norway is to blame for the Danes being forced out of an increasing number of fishing grounds. In addition, the entire fishing industry in the [Danish] province is in a period of depression, leading to record unemployment. Even though the Norwegian vessel was acting within its right to unload fish caught in the south of the North Sea, the drastic step was taken.

Fortunately, there was no fighting at the quay in Hirtshals as a result of the boycott. AFTENPOSTEN has been informed that everything took place quietly. Fishing boat owner Odd-Bjorn Huse states that the reduced quality of the fish caused by the fact that it had to be transported to Norway leads to great economic problems. The waste of time leads to deterioration of the catch, and it can be used only for production of herring meal when it is unloaded in southern Norway today.

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CSO: 5200/2522

FEDERAL REPUBLIC OF GERMANY

SPD SCORES GOVERNMENT FOR NONPARTICIPATION IN LOS

Frankfurt/Main FRANKFURTER RUNDSCHAU in German 16 Dec 82 p 4

[Article by Horst Schreitter-Schwarzenfeld: "SPD Charges Government with Breaking Faith in Failure to Endorse Law of the Sea. Social Democrats Suspect Genscher's Defeat, Lambsdorff's Victory in Cabinet Fight. 'Third World Feels Cheated.' Industry Also Opposes Convention"]

[Text] The SPD accused the government this Monday in Bonn of having broken faith on the issue of the new Law of the Sea. "The Third World feels it has been bugged," was the way Bremerhaven SPD deputy Horst Grunenberg put it in, as he termed it, "the straight talk of the shipyards." The reason for the charge was the Kohl administration's statement that the Federal Republic would not participate in the new maritime convention at this time. The Law of the Sea is intended to regulate access to and mining of mineral resources on the sea floor.

In the view of SPD leaders Grunenberg, Uwe Holz and Karl-Heinz Kledzinski, a significant turnabout has taken place in West German foreign policy. Foreign Minister Hans-Dietrich Genscher, they claimed, has suffered a setback. Earlier Genscher had promised representatives of foreign governments that Bonn would endorse the new maritime convention. Secretary of State for Foreign Affairs Hans Werner Lautenschlager, as recently as 27 October, had addressed the Bundestag's Foreign Affairs Committee, arguing for Bonn's support of the new Law of the Sea. Later, the leader of the German delegation to the international body's closing session at Montego Bay in Jamaica, was suddenly obliged to declare that the Federal Republic would not sign the document.

The SPD maintains that it was the views of Minister of Economics Count Otto Lambsdorff and other "conservative keepers of the crypt" which prevailed on the issue. Uwe Holz claimed to see in Bonn's refusal the results of pressure from the United States. Between Bonn and Washington, he said, there had suddenly arisen a "coalition of renunciation." Former U.S. Defense Secretary Donald Rumsfeld had recently visited Europe as the special envoy of President Reagan in an effort to gain allies for the U.S. policy of non-support.

Resistance to the new maritime convention was also forthcoming from those sectors of German industry already involved in the development of the so-called deep-sea mining. They fear a reduction of profits if control of ocean floor mining is placed even partially in the hands of an international body under UN auspices, as called for in the convention. Minister for Research and Technology Heinz Riesenhuber had been for a time director of the Frankfurt mineral